

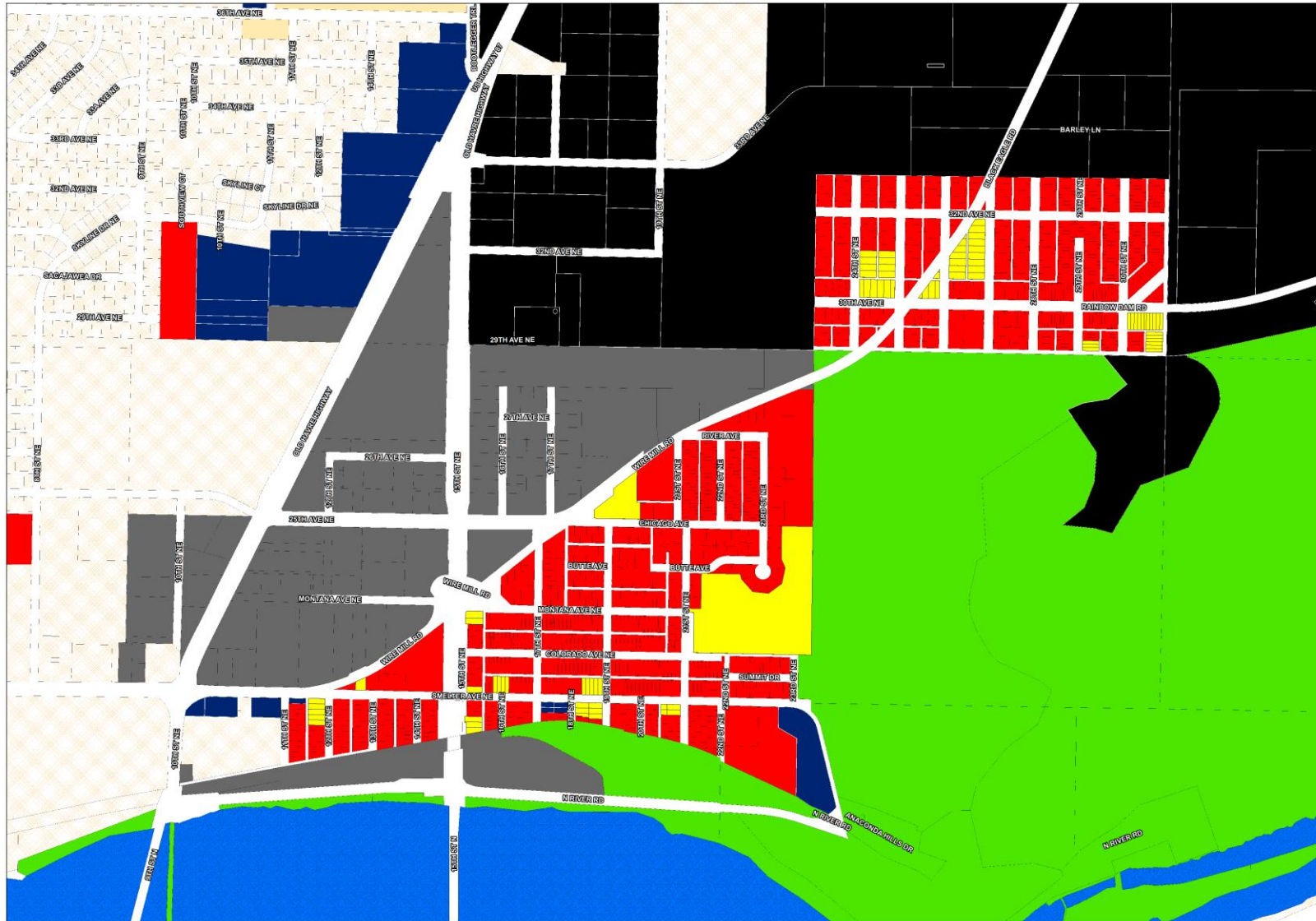
Zoning Regulation Changes

Cascade County Planning Department

Black Eagle Rezone from UR & C to MU

- ▶ The proposed rezoning of the Black Eagle area from Urban Residential (UR) and Commercial (C) to Mixed Use (MU) is intended to:
 1. Reduce the number of existing non-conforming uses;
 2. Match historical and perpetual land use patterns in the area; and,
 3. Allow flexibility in uses that are currently not allowed in Urban Residential zoning.
 4. MU zoning will reduce setbacks to front yards from 30 feet to 15 feet allowing owners of non-conforming lots more space to build houses, additions, or businesses.
- ▶ Support Growth Policy Goals and Objectives: Goal 1- Objective A & G; Goal 5 - Objective A
- ▶ See [Appendix 6](#) for further information pertaining to the Black Eagle Rezone.

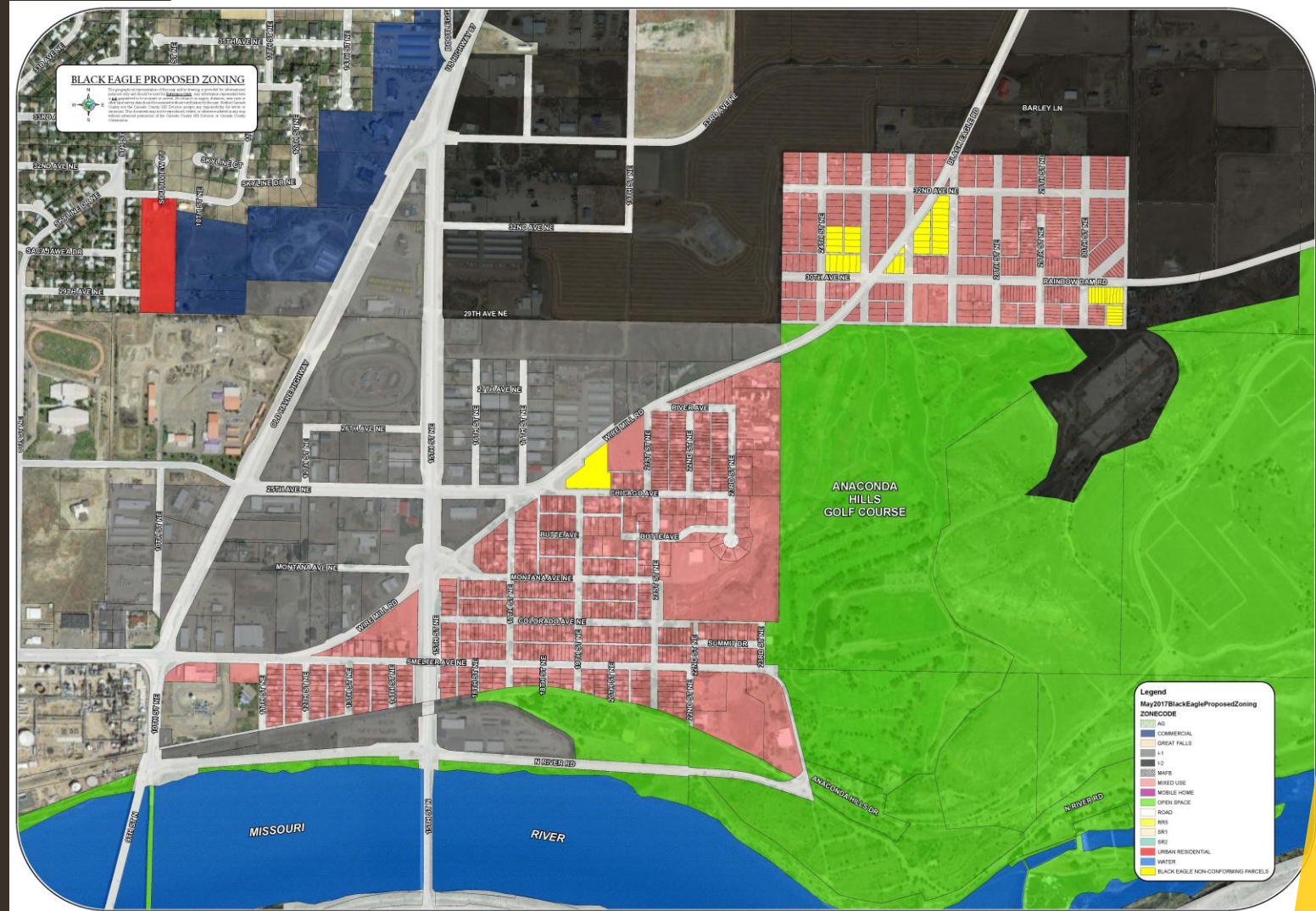
Currently Zoned Urban Residential (UR) & Commercial (C)



- ▶ UR is Red
- ▶ C is Blue
- ▶ Non-Conforming lots are Yellow

Proposed Mixed Use (MU)

- ▶ MU is light (transparent) Red
- ▶ Non-Conforming lots are Yellow.



Section 1 PURPOSE

- ▶ Minor formatting and grammatical updates that do not change context.
- ▶ **SECTION 1.3 Permissive Code**

This section was added to indicate the type of zoning code and provide clarity for document users.

Section 2 DEFINITIONS (Appendix 1)

Agricultural Definitions

- ▶ **Agricultural Commodity:** This definition has been added to clarify what an agricultural commodity is, since the term is used extensively throughout the Zoning Regulations.
- ▶ **Agricultural Use:** This definition has been shortened and adjusted for clarity to include broader aspects of agricultural use rather than having specific call-outs in the definition.
- ▶ **Animal Feeding Operation:** This definition has been added to support the CAFO and Commercial Feedlot definitions. Not all feedlots will qualify as CAFOs under state and federal requirements.
- ▶ **Animal Production:** This definition has been added to support the revised definition for “Agricultural Use.”
- ▶ **Apiculture:** This definition has been added to support the definition for “Agricultural Use” and “Animal Production.”
- ▶ **Aquaculture:** This definition has been added to support the revised definition for “Agricultural Use.”
- ▶ **Crop Production:** This definition has been added to support the revised definition of “Agricultural Use.”
- ▶ **Commercial Feedlot:** This definition was revised to clarify between open pasture feeding and raising operations from dense feed lot operations (AFOs).
- ▶ **Concentrated Animal Feeding Operation (CAFO):** This definition has been added to replace “wholesale feedlot” and to distinguish between smaller scale operations deemed to be AFOs and operations that qualify as CAFOs.
- ▶ **Commodity:** This definition has been added to define a specific term used extensively throughout the Zoning Regulations.
- ▶ **Domestic Non-livestock:** This definition has been adapted from Domestic Animal and modified to support the Veterinary Clinic, Small Animal and Small Domestic Non-livestock Animal definitions.

- ▶ **Entoculture:** This definition has been added to support the revised definition of “Agricultural Use” and the definition for “Animal Production.”
- ▶ **Equine Production:** This definition has been added to support the revised definition of “Agricultural Use.”
- ▶ **Forestry:** This definition has been added to support the revised definition of “Agricultural Use” and define this use as relevant to other sections of the Zoning Regulations.
- ▶ **Game Animal:** This definition has been added to support Wild Game Processing Facility and addresses the special regulations around these animals.
- ▶ **Game Fish:** This definition has been added to support Wild Game Processing Facility and addresses the special regulations around these animals.
- ▶ **Livestock, Large:** This definition was modified to remove the “and the like” language while retaining a capacity to capture unconventional

livestock choices by using an industry standard metric Animal Unit (AU) that relates animal weights and their consumption habits to the land.

- ▶ **Livestock, Small:** “”
- ▶ **Value-Added Agricultural Commodity Processing Facility:** This definition was added to address a use specifically called out in the regulations.
- ▶ **Value-Added Agricultural Product:** This definition was bolstered for clarity and to support the definition for “Value-Added Agricultural Commodity Processing Facility.”

Grammatical/Clarification

- ▶ **Establishment:** This definition has been added to clarify the multiple uses of “establishment” throughout the regulations.
- ▶ **Facility:** This definition has been added to clarify the multiple uses of “facility” throughout the regulations.
- ▶ **Garage, Private:** This definition has been adjusted for grammar and to clarify scope of ownership.
- ▶ **Home Occupation:** “Urban” was removed from this definition as it is superfluous and suggests that this type of permit is only obtainable in the Urban Residential District, which is inaccurate.
- ▶ **Industrial, Light:** This definition was altered for clarity and to remove unnecessary language and open-ended statements that could be used to validate a use that would otherwise run contrary to permissible uses laid out in these regulations.
- ▶ **Livestock:** This definition was adjusted for grammar.
- ▶ **Motor Vehicle Wrecking Facility:** Minor grammatical and semantic changes were made.
- ▶ **On-Premise Sign:** This definition was added to delineate the inverse of “Off-Premise Sign.”
- ▶ **Sexually-oriented Business:** A grammatical change was made to the first sentence to clarify the meaning.
- ▶ **Zoning Administrator:** This definition has been added to clarify who is capable of administering the regulations and engaging in enforcement actions with regards to the regulations.

Distillery Definitions

- ▶ **Alcohol Distillery:** This definition has been added to clarify the difference between a distillery intended for consumption and sales as opposed to an industrial distillery which does not capture the type of use a local distillery/tasting room would entail.
- ▶ **Micro-Brewery:** This definition has been adjusted to capture all aspects of the micro-brewery industry in the state and clarify what constitutes said business.

Definitions Removed

- ▶ **Animal, Domestic:** Removed and replaced with Domestic Non-livestock Animal.
- ▶ **Meat Packing Plant:** This definition has been removed as the use is defined elsewhere in more detail.
- ▶ **Storm Water Runoff:** Deleted due to redundancy with “Storm Water.

MCA/ARM Definitions

- ▶ **Bed and Breakfast:** MCA citation modified to correct format.
- ▶ **Guest Ranch:** This definition has been adjusted to more closely match the definition provided in MCA 50-51-102.
- ▶ **Migratory Game Bird:**
This definition has been added to support Wild Game Processing Facility and addresses the special regulations around these animals.
- ▶ **Wild Game Processing Facility:** This definition has been added to address a use that has been included in this proposed draft of the zoning regulations.
- ▶ **Storm Water:** Revised to match ARM 17.30.1102(27).

New/More Specific Land Uses

- ▶ **Artisan Shop:** Taxidermy has been added to this definition to expand the possible locations for this type of business. Planning Staff believes this is in line with other uses captured by this definition.
- ▶ **Butcher Shop:** This definition has been added to define the scope of this use in the Zoning Regulations.
- ▶ **Concession Stand:** This definition was added for a use that is commonplace at arenas and other similar venues.
- ▶ **Event Center:** This definition has been added to define the scope of this use in the Zoning Regulations.
- ▶ **Industrial Uses:** This definition was reworked to be more descriptive and capture the nature of what an industrial use is, rather than simply referring back to the regulatory document.
- ▶ **Indoor Sports and Recreation:** Language added to allow for spectators .
- ▶ **Retirement Home:** This definition was added to define a use that is brought up elsewhere in the regulations.
- ▶ **Slaughterhouse:** This definition was reworked for clarity and to remove the language addressing the confinement of live animals on site.

Section 3. ESTABLISHMENT OF DISTRICTS

- ▶ District names and page numbers updated to reflect proposed zoning regulation changes.

SECTION 4. ZONING MAP

- ▶ The three maps have been updated to reflect proposed rezoning in the Black Eagle area and the split of the Agricultural District into the Mixed Use - 20 (MU-20) and Agricultural District or Mixed Use - 40 (MU-40) Districts. Existing maps have been replaced by three updated maps and one new map showing a close-up view of Black Eagle.
- ▶ Refer to Appendix:
 - ▶ 2 for further information on the split of the Agricultural District.
 - ▶ 6 for further information on the Black Eagle rezone.

Section 5. INTERPRETATION OF DISTRICT BOUNDARIES

- ▶ Minor formatting and grammatical updates that do not change context.

Section 6. APPLICATION OF REGULATIONS

- ▶ Minor formatting and grammatical updates that do not change context.

Section 7. DISTRICT REGULATIONS

- ▶ SECTION 7.1.1.1. Residential District General Requirements - Minimum Lot Areas
 - ▶ Added a minimum lot requirement of 6400 ft² for the Mixed Use (MU) District
- ▶ SECTION 7.1.1.3. Lot Width and Minimum Lot Area for Building Site
 - ▶ The minimum lot width and minimum lot size were reduced from 60 feet to 50 feet and 6400 ft².
- ▶ SECTION 7.1.3.2. Front Yard
 - ▶ The front yard setback for the Urban Residential (UR) District is reduced from 30 feet to 20 feet.

- ▶ SECTION 7.2.4 (7) Rural Residential - 5 (RR-5) Uses Permitted Upon Issuance of a Special Use Permit
 - ▶ Added “community residential facility with nine occupants or more” as a special use.
- ▶ SECTION 7.12.2(2)
 - ▶ The current draft references 8.21 a typo that should read 8.20.
- ▶ SECTION 7.5.9 Mixed Use (MU) Permitted Principal Uses
 - ▶ The following uses were added: (f) Butcher Shop, (i) Convenience Sales, (s) Alcohol Distillery, and (7) Wild Game Processing. The following uses were moved from Permitted Principal Use to Special Use: (33) Vehicle Repair and (28) Casino.
- ▶ SECTION 7.5.10 Mixed Use (MU) District Permitted Accessory Uses Located on the Same Lot with the Permitted Principal Use
 - ▶ Added (7) “Concession stand, where a legally permitted principal land use of any of the following exists: Outdoor Sports and Recreation / Outdoor Entertainment, Indoor Sports and Recreation / Indoor Entertainment, Event Center.”

- ▶ SECTION 7.5.11 Mixed Use (MU) Uses Permitted upon Issuance of a Special Use Permit
 - ▶ The following uses were added: (19) Garage, Private; (29) Federal Firearms Retailers, Dealers, Repairers; (30) Multi-family Dwelling; (31) Event Center; and, (32) Contractor Yard, Large.
- ▶ SECTION 7.8.11 (Current Regulations) Uses Not Permitted
 - ▶ This section was removed due to redundancy with the requirements of permissive zoning regulations.
- ▶ SECTION 7.10.6 Commercial (C) District Off-Street Parking
 - ▶ Reference to §8.18.2.5 added for instructional clarity concerning application of the requirement. This section contains requirements for paved and unpaved parking areas.
- ▶ SECTION 7.10.9 Commercial (C) District Permitted Principal Uses
 - ▶ The following uses were added: (20) Hotel and Motel, (40) Alcohol Distillery, (41) Butcher Shop, (57) Event Center, and (58) Wild Game Processing.

- ▶ SECTION 7.10.10 Commercial (C) District Permitted Accessory Uses Located on the Same Lot with the Permitted Principal Use
 - ▶ Added (5) “Concession stand, where a legally permitted principal land use of any of the following exists: Outdoor Sports and Recreation / Outdoor Entertainment, Indoor Sports and Recreation / Indoor Entertainment, Event Center.”
- ▶ SECTION 7.10.11 Commercial (C) District Uses Permitted Upon Issuance of a Special Use Permit
 - ▶ Existing use term “Agricultural Facility” replaced with “Agricultural Commodity Storage Facility” due to the lack of a definition for the former and given the coverage of the “Agricultural building” use call out. The following uses were added: (16) Federal Firearms Retailers, Dealers, Repairers; (18) Contractor Yard, Large; and, (19) Medical Marijuana Registered Premise or Testing Facility.
- ▶ SECTION 7.3.11 (Current Regulations) Uses Not Permitted
 - ▶ This section was removed due to redundancy with the requirements of permissive zoning regulations.

- ▶ SECTION 7.12.2 (2) Light Industrial (I-1) District Permitted Principal Uses - Industrial Uses
 - ▶ Structural changes were made by moving §7.4.1.9(2)(a-h) of the current regulations to §8.20 of the proposed regulations.
 - ▶ The definition of “Industrial Use” was revised to provide a descriptive definition compared to the definition on page 20 of the current regulations.
 - ▶ Added “(4) Value-Added Agricultural Commodity Processing Facility” to allow that use in that district.

Section 8. SUPPLEMENTARY REGULATIONS

- ▶ SECTION 8.1.1 General Sign Regulations by District
 - ▶ Sign requirements were transferred from text narrative to a table format. Some sign quantities were added to fill in gaps in sign limitations.
- ▶ SECTION 8.1.3.2 Political Signs
 - ▶ The political sign section of §8.1.3.2 (current regulations) has §8.1.3.2.2 “Directional Signs” under the general “Political Signs” header. The “Directional Signs” section has been removed from under the “Political Signs” header and given its own subsection. Political signs remain one category, with directional signs separated into a distinct section (§8.1.3.3). Additionally, proposed reduction in time to remove political signs post-election to mirror state law in §18.6.246, ARM. Language was added to §8.1.3.2 (c) authorizing the Public Works Department to remove illegal signs.
- ▶ See next slides for proposed changes.

Current CCZR Sign Regulations

SECTION 8. SUPPLEMENTARY REGULATIONS

The provisions of these regulations shall be subject to the requirements of Sections 7 and 9 and to such exceptions, conditions, or modifications as herein provided by the following supplementary regulations.

8.1 USES, SIGNS, LOTS

8.1.1 SIGNS IN AN A, C, MU, I-1, OR I-2 DISTRICTS

- 8.1.1.1 There shall be a limit of two (2) total freestanding signs per tract of land containing one acre or less in parcel size. There shall be a limit of three (3) total freestanding signs per tract of land greater than one acre in parcel size. The maximum height of the freestanding signs shall not exceed thirty (30) feet measured from the average ground area on the parcel of land as determined by the Planning Division. The maximum square foot total per freestanding sign per side cannot exceed 300 square feet per freestanding sign. No sign shall occupy any front, side or rear landscaping buffer area.
- 8.1.1.2 Signs located within 660 feet of an interstate highway measured from the outer edge of the interstate right-of-way, shall not exceed a maximum height of 30 feet measured from the high point of the interstate adjacent to the location of the sign, including grades of interstate access ramps.
- 8.1.1.3 Signs may be illuminated provided that they shall be limited to transformers not exceeding sixty (60) mill amperes on all exposed tubing and all animated or flashing portions shall be limited to transformers not exceeding thirty (30) mill amperes on all exposed tubing.
- 8.1.1.4 Total signage on a building side shall not exceed 30% of the building wall area square footage of that side and shall not exceed 10 feet above the height of the building.
- 8.1.1.5 Outdoor advertising (billboard signs) shall only be allowed in an I-1 or I-2 zoned parcel, shall not exceed 672 square feet per side, shall not exceed 48 feet in length and shall not exceed 30 feet maximum height, measured from the highpoint of the highway adjacent to the location of the sign and may not be located within 500 feet of another outdoor advertising (billboard) sign. No sign or billboard shall be permitted within 100 feet of an R district. No sign or billboard shall be permitted within 500 feet of any cemeteries, public park, public forest, public playgrounds, school, church, or similar institution.

8.1.2 SIGNS IN RESIDENTIAL AND AGRICULTURAL DISTRICTS

- 8.1.2.1 On-premise and off-premise (for non-profit only) signs in residential and agricultural districts (RR-5, SR-1, SR-2, UR and A)
- 8.1.2.2 Signs in residential and agriculture districts shall be limited to non-commercial uses, such as religious institutions, fraternal organizations, schools, etc. Bulletin boards for worship facilities, educational facilities, or other public, religious, or educational institution are allowed provided such sign is located not less than ten (10) feet from the established right-of-way line of any street or highway and does not obstruct traffic visibility at street or highway intersections. Such signs shall not exceed thirty-two (32) square feet in area.

8.1.3 OTHER SIGNS (ALL DISTRICTS)

- 8.1.3.1 Temporary signs, including but not limited to For Sale Signs, Real Estate Sale Signs, shall not be required to obtain a location/conformance permit. These signs must be placed entirely upon private property.
- 8.1.3.2 Political Signs shall be regulated pursuant to Montana Codes Annotated. Additionally, the following regulations shall apply:

8.1.3.2.1 Political Signs

- (1) Signs promoting political candidates or issues shall:
 - (a) Not be erected or maintained within the highway right-of way
 - (b) Not be erected or maintained prior to 90 days before the applicable election.
 - (c) Be removed within 30 days following the applicable election. The successful candidate in the primary election may leave their signs until after the general election.

8.1.3.2.2 Directional Signs

- (1) Including, but not limited to, enter, exit, parking, air, etc., are excluded from the signage requirements, provided they not exceed eight (8) square feet maximum in size and be no greater than eight (8) feet in height and may not contain any advertising. Signs as mentioned above do not include the normal public highway regulatory or informational signs. In the event federal, state or other requirements regulating signs exist, the provisions of Section 1.2 shall apply.

8.1.4 NON-CONFORMING SIGNS

- (1) Signs at the time of enactment of this Regulation which are not

Current CCZR Sign Regulations

conforming to the provisions, but which did conform to previous laws at the time of installation and were properly permitted at the time of installation, shall be regarded as nonconforming signs which may remain if properly repaired, maintained, and if in compliance with other regulations of Cascade County and the State of Montana. Nonconforming signs which are structurally altered, relocated, or replaced must comply immediately with all provisions of these regulations.

- (2) Once a business has closed for more than one (1) year, any existing signs advertising said business must be removed.

8.1.5 NATURAL PRODUCTION USE

A Special Use Permit may be reviewed by the Zoning Board of Adjustment in an Agricultural District, RR-5 District, SR-1 District, SR-2 District, or in an I-2 Heavy Industrial District and as provided in these regulations, the excavation of sand and gravel, topsoil, clay, shale, or other natural mineral deposits for the quarrying of any kind of rock formation, subject to the following conditions:

- 8.1.5.1** In the case of an open excavation there shall be a substantial fence, suitable gates, completely enclosing the portion of the property which the excavation is located in, and such fence shall be located at all points forty (40) feet or more from the edge of the excavation.
- 8.1.5.2** No rock crusher, cement plant, or other crushing, grinding, or polishing or cutting machinery, or other physical or chemical process for treating the product of such quarry shall be permitted, except in an I-2 District, or by permission of the Zoning Board of Adjustment.
- 8.1.5.3** In the case where excavation activity is discontinued, the excavation shall be restored in accordance with Open Cut Mining Reclamation guidelines (MCA) Title 82, Chapter 4, Part 4, et. seq.
- 8.1.5.4** In the case where a natural production use abuts an R District, a C District, an I-1 District, a MH District, or an OS District, a sight obscuring fence, berm or other such improvement shall be required along the site perimeter(s) adjacent to the aforementioned abutting zone(s) and shall be installed or caused to be installed by the party to whom the special permit was issued prior to beginning operations under said special permit issued therefore. Said sight obscuring fence, berm or other such improvement shall be of a height sufficient to block the line of sight from occupancies of the aforementioned abutting zone(s) as determined by the Zoning Board of Adjustment.
- 8.1.5.5** Hours of Operation for the above listed uses shall be limited to 7:00 a.m. to 7:00 p.m.

Draft PB Recommended CCZR Sign Regulations

SECTION 8. SUPPLEMENTARY REGULATIONS

The provisions of these regulations shall be subject to the requirements of Sections 7 and 9 and to such exceptions, conditions, or modifications as herein provided by the following supplementary regulations.

8.1 USES, SIGNS, LOTS

8.1.1 GENERAL SIGN REGULATIONS BY DISTRICT

General Sign Regulations by District						
District	Type ⁹	Lot Size (acre)	Maximum Quantity (freestanding sign)	Maximum Height ^{1,2} (feet)	Maximum area per sign (square feet)	Illuminated ³
UR ⁸	Non-commercial Display	N/A	1	20	32	No
SR-1 ⁸	Non-commercial Display	N/A	1	20	32	No
SR-2 ⁸	Non-commercial Display	N/A	1	20	32	No
RR-5 ⁸	Non-commercial Display	N/A	1	20	32	No
MU ⁸	Non-commercial or Commercial Display	N/A	1	20	100	Yes ⁷
MU-20 ^{4,5,8}	Commercial Display	≤ 1	2	30	300	Yes ⁷
	Commercial Display	> 1	3	30	300	Yes ⁷
MU-40A ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes ⁷
	Commercial Display	> 1	3	30	300	Yes ⁷
C ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial	> 1	3	30	300	Yes

	Display					
I-1 ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial Display	> 1	3	30	300	Yes
	Billboard ⁶	≤ 1	2	30	672	Yes
	Billboard ⁶	>1	3	30	672	Yes
I-2 ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial Display	> 1	3	30	300	Yes
	Billboard ⁶	≤ 1	2	30	672	Yes
	Billboard ⁶	>1	3	30	672	Yes

Notes:

- Maximum height is measured from the average elevation of the lot.
- Signs located within 660 feet of an interstate highway measured from the outer edge of the interstate right-of-way, shall not exceed a maximum height of 30 feet measured from the high point of the interstate adjacent to the location of the sign, including grades of interstate access ramps.
- Signs may be illuminated provided that they shall be limited to transformers not exceeding sixty (60) milliamperes on all exposed tubing and all animated or flashing portions shall be limited to transformers not exceeding thirty (30) milliamperes on all exposed tubing.
- No sign shall occupy any front, side, or rear landscaping buffer area.
- Total signage on a building side shall not exceed 30% of the building wall area square footage of that side and shall not exceed 10 feet above the height of the building.
- Billboard signs shall not exceed 48 feet in length and shall not exceed 30 feet maximum height, measured from the highpoint of the highway adjacent to the location of the sign and may not be located within 500 feet of another outdoor advertising (billboard) sign. No sign or billboard shall be permitted within 100 feet of a Residential (R) district. No sign or billboard shall be permitted within 500 feet of any cemeteries, public park, public forest, public playgrounds, school, church, or similar institution.
- An illuminated sign shall be allowed for commercial use in the MU, MU-20 and MU-40A districts provided the sign uses shielded lights that illuminate the area of the sign only and are only illuminated during normal operating hours.
- The sign shall be located not less than ten (10) feet from the established right-of-way line of any street or highway and shall not obstruct traffic visibility at street or highway intersections.
- All signs must be located on the premises of the commercial use for which the display advertises. Off-premise signage is allowed for non-profit, non-commercial uses only.

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8.1.3 OTHER SIGNS (ALL DISTRICTS)

8.1.3.1 Temporary Signs

Temporary signs, including but not limited to For Sale Signs, Real Estate Sale Signs, shall not be required to obtain a location/conformance permit. These signs must be placed entirely upon private property.

8.1.3.2 Political Signs

Political Signs shall be regulated pursuant to Montana Code Annotated. Additionally, the following regulations shall apply:

- (1) Signs promoting political candidates or issues shall:
 - a. Not be erected or maintained within the highway right-of-way
 - b. Not be erected or maintained prior to ninety (90) days before the applicable election.
 - c. Be removed within fourteen (14) days following the applicable election. The Public Works Department is authorized to remove illegal signs not removed within fourteen (14) days. The successful candidate in the primary election may leave their signs until after the general election.

8.1.3.3 Directional Signs

- (1) Including, but not limited to, enter, exit, parking, air, etc., are excluded from the signage requirements, provided they do not exceed eight (8) square feet maximum in size and are no greater than eight (8) feet in height and may not contain any advertising. Signs as mentioned above do not include the normal public highway regulatory or informational signs. In the event federal, state, or other requirements regulating signs exist, the provisions of Section 1.2 shall apply.

8.1.4 NON-CONFORMING SIGNS

- (1) Signs at the time of enactment of this Regulation which are not conforming to the provisions, but which did conform to previous laws at the time of installation and were properly permitted at the time of installation, shall be regarded as nonconforming signs which may remain if properly repaired, maintained, and if in compliance with other regulations of Cascade County and the State of Montana. Nonconforming signs which are structurally altered,

relocated, or replaced must comply immediately with all provisions of these regulations.

- (2) Once a business has closed for more than one (1) year, any existing signs advertising said business must be removed.

8.1.5 NATURAL PRODUCTION USE

A Special Use Permit may be reviewed by the Zoning Board of Adjustment (ZBOA) in an MU-20, ~~MU-40A~~, RR-5 District, SR-1 District, SR-2 District, or in an I-1 Light Industrial District and as provided in these regulations, the excavation of sand and gravel, topsoil, clay, shale, or other natural mineral deposits for the quarrying of any kind of rock formation, subject to the following conditions:

8.1.5.1 In the case of an open excavation there shall be a substantial fence, suitable gates, completely enclosing the portion of the property which the excavation is located in, and such fence shall be located at all points forty (40) feet or more from the edge of the excavation.

8.1.5.2 No rock crusher, cement plant, or other crushing, grinding, or polishing or cutting machinery, or other physical or chemical process for treating the product of such quarry shall be permitted, except in an I-2 District, or by permission of the ZBOA.

8.1.5.3 In the case where excavation activity is discontinued, the excavation shall be restored in accordance with Open Cut Mining Reclamation guidelines (§82-4-4, MCA, et. seq).

8.1.5.4 In the case where a natural production use abuts an R District, a C District, an I-1 District, a MH District, or an OS District, a sight obscuring fence, berm or other such improvement shall be required along the site perimeter(s) adjacent to the aforementioned abutting zone(s) and shall be installed or caused to be installed by the party to whom the special permit was issued prior to beginning operations under said special permit issued therefore. Said sight obscuring fence, berm or other such improvement shall be of a height sufficient to block the line of sight from occupancies of the aforementioned abutting zone(s) as determined by the Zoning Board of Adjustment.

8.1.5.5 Hours of Operation for the above listed uses shall be limited to 7:00 a.m. to 7:00 p.m.

8.1.6 DWELLINGS ON SMALL LOTS

Notwithstanding limitations imposed by any other provisions of these regulations, the Zoning Administrator may permit erection of a single-family dwelling on any lot in an MU-20, ~~MU-40A~~, or any Residential District separately owned or under

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8.18.2.2. PERIMETER LANDSCAPING

SECTION 8. SUPPLEMENTARY REGULATIONS

The provisions of these regulations shall be subject to the requirements of Sections 7 and 9 and to such exceptions, conditions, or modifications as herein provided by the following supplementary regulations.

	Residential I-Uses	Commercial I-Uses	Industrial Uses	Agricultural I-Uses	Public-Uses
Commercial I-Uses	C	A	B	—B	B
Industrial Uses	D	B	A	—B	D

8.1 USES, SIGNS, LOTS

8.1.1 GENERAL SIGN REGULATIONS BY DISTRICT

General Sign Regulations by District						
District	Type ⁹	Lot Size (acre)	Maximum Quantity (freestanding sign)	Maximum Height ^{1,2} (feet)	Maximum area per sign (square feet)	Illuminated ³
UR ⁸	Non-commercial Display	N/A	1	20	32	No
SR-1 ⁸	Non-commercial Display	N/A	1	20	32	No
SR-2 ⁸	Non-commercial Display	N/A	1	20	32	No
RR-5 ⁸	Non-commercial Display	N/A	1	20	32	No
MU ⁸	Non-commercial or	N/A	1	20	100	Yes ⁷

	Commercial Display					
MU- 20 ^{4,5,8}	Commercial Display	≤ 1	2	30	300	Yes ⁷
	Commercial Display	> 1	3	30	300	Yes ⁷
MU- 40 ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes ⁷
	Commercial Display	> 1	3	30	300	Yes ⁷
C ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial Display	> 1	3	30	300	Yes
I-1 ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial Display	> 1	3	30	300	Yes
	Billboard ⁶	≤ 1	2	30	672	Yes
	Billboard ⁶	> 1	3	30	672	Yes
I-2 ^{4,5}	Commercial Display	≤ 1	2	30	300	Yes
	Commercial Display	> 1	3	30	300	Yes
	Billboard ⁶	≤ 1	2	30	672	Yes
	Billboard ⁶	> 1	3	30	672	Yes
Notes:						
1. Maximum height is measured from the average elevation of the lot.						
2. Signs located within 660 feet of an interstate highway measured from the outer edge of the interstate right-of-way, shall not exceed a maximum height of 30 feet measured from the high point of the interstate adjacent to the location of the sign, including grades of interstate access ramps.						
3. Signs may be illuminated provided that they shall be limited to transformers not exceeding sixty (60) milliamperes on all exposed tubing and all animated or flashing portions shall be limited to transformers not exceeding thirty (30) milliamperes on all exposed tubing.						
4. No sign shall occupy any front, side, or rear landscaping buffer area.						
5. Total signage on a building side shall not exceed 30% of the building wall area square footage of that side and shall not exceed 10 feet above the height of the building.						
6. Billboard signs shall not exceed 48 feet in length and shall not exceed 30 feet maximum height, measured from the highpoint of the highway adjacent to the location of the sign and may not be located within 500 feet of another outdoor advertising (billboard) sign.						

Draft CCZR Staff Proposed Sign Regulations

No sign or billboard shall be permitted within 100 feet of a Residential (R) district. No sign or billboard shall be permitted within 500 feet of any cemeteries, public park, public forest, public playgrounds, school, church, or similar institution.

7. An illuminated sign shall be allowed for commercial use in the MU, MU-20 and MU-40 districts provided the sign uses shielded lights that illuminate the area of the sign only and are only illuminated during normal operating hours.
8. The sign shall be located not less than ten (10) feet from the established right-of-way line of any street or highway and shall not obstruct traffic visibility at street or highway intersections.
9. All signs must be located on the premises of the commercial use for which the display advertises. Off-premise signage is allowed for non-profit, non-commercial uses only.

8.1.3 OTHER SIGNS (ALL DISTRICTS)

8.1.3.1 Temporary Signs

Temporary signs, including but not limited to For Sale Signs, Real Estate Sale Signs, shall not be required to obtain a location/conformance permit. These signs must be placed entirely upon private property.

8.1.3.2 Political Signs

Political Signs shall be regulated pursuant to Montana Code Annotated. Additionally, the following regulations shall apply:

- (1) Signs promoting political candidates or issues shall:

- a. Not be erected or maintained within the highway right-of-way
- b. Not be erected or maintained prior to ninety (90) days before the applicable election.
- c. Be removed within fourteen (14) days following the applicable election. The Public Works Department is authorized to remove illegal signs not removed within fourteen (14) days. The successful candidate in the primary election may leave their signs until after the general election.

8.1.3.3 Directional Signs

- (1) Including, but not limited to, enter, exit, parking, air, etc., are excluded from the signage requirements, provided they do not exceed eight (8) square feet maximum in size and are no greater than eight (8) feet in height and may not contain any advertising. Signs as mentioned above do not include the normal public

highway regulatory or informational signs. In the event federal, state, or other requirements regulating signs exist, the provisions of Section 1.2 shall apply.

8.1.4 NON-CONFORMING SIGNS

- (1) Signs at the time of enactment of this Regulation which are not conforming to the provisions, but which did conform to previous laws at the time of installation and were properly permitted at the time of installation, shall be regarded as nonconforming signs which may remain if properly repaired, maintained, and if in compliance with other regulations of Cascade County and the State of Montana. Nonconforming signs which are structurally altered, relocated, or replaced must comply immediately with all provisions of these regulations.
- (2) Once a business has closed for more than one (1) year, any existing signs advertising said business must be removed.

8.1.5 NATURAL PRODUCTION USE

A Special Use Permit may be reviewed by the Zoning Board of Adjustment (ZBOA) in an MU-20, MU-40, RR-5 District, SR-1 District, SR-2 District, or in an I-1 Light Industrial District and as provided in these regulations, the excavation of sand and gravel, topsoil, clay, shale, or other natural mineral deposits for the quarrying of any kind of rock formation, subject to the following conditions:

- 8.1.5.1 In the case of an open excavation there shall be a substantial fence, suitable gates, completely enclosing the portion of the property which the excavation is located in, and such fence shall be located at all points forty (40) feet or more from the edge of the excavation.
- 8.1.5.2 No rock crusher, cement plant, or other crushing, grinding, or polishing or cutting machinery, or other physical or chemical process for treating the product of such quarry shall be permitted, except in an I-2 District, or by permission of the ZBOA.
- 8.1.5.3 In the case where excavation activity is discontinued, the excavation shall be restored in accordance with Open Cut Mining Reclamation guidelines (§82-4-4, MCA, et. seq).
- 8.1.5.4 In the case where a natural production use abuts an R District, a C District, an I-1 District, a MH District, or an OS District, a sight obscuring fence, berm or other such improvement shall be required along the site perimeter(s) adjacent to the aforementioned abutting zone(s) and shall be installed or caused

- ▶ SECTION 8.1.5 Natural Production Use
 - ▶ The language of “I-2 Heavy Industrial District” is proposed to change to “I-1 Light Industrial District” to correct a typographical error. The Heavy Industrial Zoning District does not contain any uses requiring a Special Use Permit.
- ▶ SECTION 8.1.6 Dwellings on Small Lots
 - ▶ Replace “Agricultural District” with “MU-20”
 - ▶ Replace/retain “Agricultural District” with staff proposed “MU-40.”
- ▶ SECTION 8.2.5 Fences
 - ▶ The proposed revisions break down §8.2.5 into the following subsections: §§ 8.2.5.1 Fence Height, 8.2.5.2 Electric Fencing, 8.2.5.3 Razor Wire Fencing, and 8.2.5.4 Wildlife-Friendly Fencing.
- ▶ SECTION 8.2.5.2 Electric Fencing
 - ▶ Electrical fencing is proposed to be allowed in SR-1, SR-2, and RR-5.

- ▶ SECTION 8.2.5.4 Wildlife-Friendly Fencing

- ▶ This section was added to implement legal fence requirements defined in MCA §81-4-101 with the addition of a requirement for a minimum 16 inch gap from the ground to the bottom wire. Language encouraging wildlife-friendly fencing designs were added as well with reference to the Montana Department of Transportation (MDT) brochure titled “Wildlife Friendly Fencing.”

- ▶ SECTION 8.5 Site Plan Review Criteria

- ▶ The first sentence has been modified to reflect the site plan requirement for Location/Conformance Permit applications stated in §9.2 in the current regulations and continued in §9.2.2 of the proposed regulations.
- ▶ Sub-section (j) was added to require compliance with Circular DEQ 8 for storm water where applicable to proposed projects.

- ▶ SECTION 8.15.1 Contractor Yard, Small
 - ▶ Removed language stating that “generally, these standards do not apply to contractor yards in Industrial zoning districts” due to ambiguity.
- ▶ SECTION 8.15.1 Contractor Yard, Large
 - ▶ Removed language stating that “generally, these standards do not apply to contractor yards in Industrial zoning districts” due to ambiguity.
- ▶ SECTION 8.16 Home Occupations
 - ▶ Removed the adjective “urban” from before “residential setting” since this could be construed to imply that home occupations are restricted to the “Urban Residential” zoning district, which is not the case. Item 8.16 (4)(d) was shortened and reworded for clarity.
- ▶ SECTION 8.18.1 Landscaping Requirements
 - ▶ Language throughout this section has been rewritten to clarify the intent of the regulations. Item (2) was rewritten to reduce the spread of noxious or invasive plant species.
 - ▶ The language referring to a list of recommended plants available at the Planning Department was removed and a reference to MSU Extension Services list is provided.

- ▶ SECTION 8.18.2.5 Other Requirements
 - ▶ Removed the requirement that any parking lot providing 10 or more spaces be paved.
 - ▶ Clarification for paved and unpaved parking lot requirements.
- ▶ SECTION 8.19 Sexually Oriented Business
 - ▶ This requirement was moved from §8.20 to 8.19 to reflect other changes to the regulations.
- ▶ SECTION 8.20 Light Industrial (I-1) Zoning District Standards
 - ▶ This section was created through the transfer of §7.4.1.9(2)(a-h) of the current regulations to §8.20 of the proposed regulations.
- ▶ SECTION 8.21 Per Head Animal Unit Values
 - ▶ This section was added to determine whether livestock is small or large. (less than or equal to 0.4 AU = small livestock)

Section 9. PERMIT REQUIREMENTS

- ▶ SECTION 9.2 Location/Conformance Permit
 - ▶ This entire section has been restructured and revised to clarify when a permit is needed, when an exemption applies, options pertaining to approved permits, specific instructions on applications, information on extensions, and information on permit and application expirations, and permit amendments.

Current CCZR Regulations Section 9.2

SECTION 9. PERMIT REQUIREMENTS

9.1 GENERAL

These regulations shall be enforced by the Zoning Administrator who shall be appointed by the Board of County Commissioners of Cascade County. No Location / Conformance Permit shall be issued by such Administrator except where all provisions of these regulations have been met.

9.2 LOCATION /CONFORMANCE PERMIT

No future change of land use may be made; or no building, structure, sign or foundation therefore shall be erected, added to, or structurally altered until: 1) a permit therefore has been issued by the Zoning Administrator; 2) a site plan meeting the requirements of Section 8.5 of these regulations and based on the property boundaries in accordance with the legal description, as filed on record, has been filed by the Zoning Administrator, and a separate Location/Conformance Permit has been issued for each tract of land.

Location/Conformance Permits are required for all buildings (200 square feet or larger), structures (200 square feet or larger), signs, or foundations located within the Cascade County Zoning District unless otherwise specified in these regulations.

Location/Conformance Permits are required for all commercial activities including but not limited to buildings, structures, signs, or foundations that will be used for commercial activities anywhere within Cascade County exclusive of incorporated cities and towns.

Location/Conformance Permits are not required for site preparation (see Site Preparation definition) or for other Permitted Accessory Uses (including but not limited to garages, sheds, barns, or the usual agricultural buildings and structures) located on a tract of land provided only one residential dwelling unit is located on the tract, the tract of land is zoned A – Agricultural, and the tract is larger than 160 acres. However, the placement of any structures on these parcels must comply with the A Agricultural requirements listed in these regulations. All other uses including commercial, special use permits, etc. require obtaining a location/conformance permit and complying with the Cascade County Zoning Regulations.

Location/Conformance Permit approval by the Zoning Administrators shall be valid for only one particular use and shall expire one year after the date of the approval, if construction or the use has not started. The Zoning Administrator may grant a one-time only 12-month extension to the expiration the Location/Conformance Permit approval.

9.3 FEES

The fee to be paid upon application for a Location / Conformance Permit shall be Fifty Dollars (\$50.00). If work on a structure that requires a Location / Conformance Permit begins prior to the issuance of the Permit, the fee shall be Two Hundred Dollars (\$200.00). The fee to be paid upon application for a Special Use Permit or an Unclassified Use Permit shall be Four Hundred Fifty Dollars (\$450.00). The fee to be paid for an Appeal Application or for a Variance Application shall be Two Hundred Fifty Dollars (\$250.00). All fees are non-refundable.

Draft CCZR Staff Proposed Section 9.2

SECTION 9. PERMIT REQUIREMENTS

9.1 GENERAL

These regulations shall be enforced by the Zoning Administrator. No Location/Conformance Permit shall be issued by such Administrator except where all provisions of these regulations have been met.

9.2 LOCATION/CONFORMANCE PERMIT

9.2.1 PERMITS AUTHORIZED

Pursuant to §76-2-207, a Location/Conformance Permit shall be required for all proposed buildings, structures, signs, land uses, and changes in land use within the Zoning Jurisdictional Area except where exempted under §9.2.3. Legal Location/Conformance Permits shall be approved and authorized by the Zoning Administrator. A separate Location/Conformance Permit shall be issued for each tract of land and for each distinct use in a project proposal.

9.2.2 SITE PLAN

A site plan meeting the requirements of §8.5 of these Regulations shall be prepared for all proposed buildings, structures, signs, and changes in land use except where exempted under §9.2.3. The approved site plan in a legally issued Location/Conformance Permit is binding as a condition of approval. Deviation from an approved site plan without an amendment approval, pursuant to §9.2.6, from the Zoning Administrator shall be a zoning violation and subject to §13 of these Regulations.

9.2.3 EXEMPTIONS

Location/Conformance Permits are not required for non-commercial project proposals where the proposed structure or buildings is less than or equal to two hundred (200) square feet and site preparation for projects, as defined in these Regulations.

9.2.4 EXPIRATION

Legally issued Location/Conformance Permits shall expire one (1) year after the date of approval if construction or the use has not initiated. Site preparation, as defined in these Regulations, shall not count as "construction" for the purposes of this section. Construction consists of acts of constructing which would lead to a Zoning Violation if they were conducted without a valid permit. Such acts include but are not limited to framing structures or buildings, laying a foundation, or erecting scaffolding.

Applications that have been submitted and deemed incomplete, been withdrawn by the applicant, or otherwise placed on hold by the applicant shall expire after three (3) months from the date of receipt. After an application has expired a new application must be obtained and submitted.

9.2.5 EXTENSION

The Zoning Administrator may grant a one-time only twelve (12) month extension for a legally issued Location/Conformance Permit. The extension shall be requested prior to the established expiration on the issued permit and shall not extend beyond twelve (12) months from the expiration date of the originally issued permit.

9.2.6 AMENDMENT

For any legally issued and unexpired Location/Conformance permit, an amendment may be requested by the original applicant and/or owner. Amendments shall be reviewed and granted by the Zoning Administrator on a case-by-case basis. Amendment requests may require an additional Location/Conformance Permit where the proposed change(s) require additional review or an additional permit is otherwise required by this section.

9.3 FEES

The fee to be paid upon application for a Location/Conformance Permit shall be that listed in the Cascade County Planning Division's Fee Schedule. The fee to be paid upon application for a Special Use Permit or an Unclassified Use Permit shall be that listed in the Cascade County Planning Division's Fee Schedule. —The fee to be paid for an Appeal Application or for a Variance Application shall be that listed in the Cascade County Planning Division's Fee Schedule. All fees are non-refundable.

9.4 MINOR VARIANCES

The Zoning Administrator shall have the authority to grant "minor variances" as defined by the Zoning Board of Adjustment (ZBOA) which are within the general intent of these regulations limited to the following: a) area and lot dimension requirements provided they may not be reduced by more than ten (10) percent of the area required by the district, b) yard requirements may be reduced by permitting portions of a building or structure to extend into and occupy not more than ten (10) percent of the area of a required yard, c) maximum building height requirements may be increased by not more than ten (10) percent. Said "minor variance" shall be granted if all adjacent property owners of the tract consent to said, "minor variance." The party petitioning to the "minor variance" shall obtain written consent from the adjacent property owners to the "minor variance." The denial by the Zoning Officer of an application involving a minor deviation shall not prohibit or affect the right of the applicant to file an application for a variance.

- ▶ SECTION 9.3 Fees

- ▶ Language specifically listing fee amounts in the regulations have been replaced with a reference to a Fee Schedule.

- ▶ SECTION 9.5 Variances

- ▶ Language referring to specific fees have been removed, and all instances of “Director” have been replaced with “Administrator.”

Section 10. STANDARDS FOR SPECIAL USE PERMITS

▶ SECTION 10.1 General Provisions

- ▶ Extraneous language has been removed. Fee amount has been replaced by a reference to the fee schedule.

▶ SECTION 10.2 Required Plan

- ▶ A reference to the Use Statement Form, an existing requirement for Special Use Permits, has been added to the first paragraph.
- ▶ A requirement to the materials necessary to process a Special Use Permit has been added “(h) Compliance with Circular DEQ 8 (Issued by the Montana Department of Environmental Quality) to mitigate and detain storm water discharge.”

▶ SECTION 10.4 Expiration

- ▶ Added a paragraph to ensure a Special Use Permit application is timely processed. After deemed sufficient, an application expires after six (6) months or once a material change is made.

Section 12. ZONING BOARD OF ADJUSTMENT

- ▶ SECTION 12.3.1 Appeal Fee
 - ▶ Fee amount has been replaced with a Fee Schedule.
- ▶ SECTION 12.3.5.2 Writ of Certiorari
 - ▶ “Realtor’s” has been replaced with “party’s” to more accurately reflect who may appeal a decision of the Zoning Board of Adjustment.

Section 13. ENFORCEMENT

- ▶ SECTION 13. ENFORCEMENT

- ▶ This entire section has been restructured and revised to address gaps in the current regulations for §13 titled “Violations and Penalties.”

- ▶ SECTION 13.1 Zoning Violation

- ▶ This section was added to indicate what constitutes a zoning violation.

- ▶ SECTION 13.2 Complaints

- ▶ This section was added to codify the complaint process. Current zoning regulations are silent on the complaint procedure.

- ▶ SECTION 13.3 Investigation

- ▶ This section was added to codify the investigation process. Current zoning regulations are silent on the investigation procedure.

- ▶ SECTION 13.4 Administrative Remedies
 - ▶ This section clarifies the steps involved in the remediation process when a violation has been found to exist.
- ▶ SECTION 13.4.1 Enforcement Actions
 - ▶ This section codifies different enforcement action options when compliance was not achieved through remedial action.
- ▶ SECTION 13.4.2 Liable Parties
 - ▶ This section was added to clarify liable parties in the case of a verified violation. Current zoning regulations are silent on the investigation procedure.
- ▶ SECTION 13.4.3 Right to Action Reserved
 - ▶ This section has been added to reserve the county's right to take enforcement action against liable parties.
- ▶ SECTION 13.5 Administrative Fine
 - ▶ This section codifies violation fines.

Current CCZR Section 13. Regulations

SECTION 13. VIOLATIONS AND PENALTIES

13.1 VIOLATIONS

In case any building or structure is erected, constructed, reconstructed, placed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of these regulations, the proper authorities of the county, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, placement, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

13.2 PROCEDURE/PENALTIES

A violation of these regulations is hereby declared to be a misdemeanor. The schedule of penalties is as follows:

13.2.1 VIOLATION

After first knowledge of the violation, a notice to comply or cease and desist notice to comply within thirty (30) days shall be issued.

13.2.2 COMPLIANCE

If compliance as enumerated in 13.2.1 above is not obtained within an additional thirty (30) days (for a total of sixty (60) days since the date of the first notice to comply), the violation shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment in the county jail not exceeding six (6) months, or both.

13.2.3 PROSECUTE

The County reserves the right to prosecute a continuing violation which has not been corrected after the above steps have been taken.

Draft CCZR Staff Proposed Section 13. Regulations

SECTION 13. ENFORCEMENT

13.1 ZONING VIOLATION

Failure to comply with the provisions of the Cascade County Zoning Regulations or a violation of conditions of approval for any permit constitutes a "zoning violation."

13.2 COMPLAINTS

Whenever a zoning violation is observed or suspected, any person may submit a Complaint Form to the Zoning Administrator, describing all the relevant facts supporting the complaint. Upon receipt of a completed and signed Complaint Form, or discovery of an alleged violation by other means, the Zoning Administrator may investigate the allegation to determine if a zoning violation exists. If the Zoning Administrator determines that a violation exists, they may take appropriate action to achieve compliance.

13.3 INVESTIGATION

When investigating an alleged violation, the Zoning Administrator shall review these Regulations and other applicable laws, regulations, or rules relevant to the investigation. The Zoning Administrator may inspect the alleged violation from a public right-of-way or from private property if permission has been granted for the inspection. Permission for access is assumed in the event an alleged violator has a permit application pending with the Planning Division. The investigator shall document the inspection with written notes and/or photographs as needed.

13.4 ADMINISTRATIVE REMEDIES

If the Zoning Administrator finds that a zoning violation exists, they shall identify and contact the property owner and, if applicable, other liable parties as described in §13.4.2. This initial contact may be informal and serve as an attempt to obtain voluntary compliance through a compliance plan devised under agreement by the Zoning Administrator and the involved parties. The compliance plan must be in writing and shall have the following: (i) a set timeline; (ii) a course of action for obtaining compliance; (iii) a progression checklist indicating deadlines for achieving compliance milestones; and, (iv) a record of communication between the Planning Division and the parties involved concerning the zoning violation and/or the compliance plan. The compliance plan must be established within seven (7) days of initial contact with the first day being the day after the contact.

If a compliance plan is not established within seven (7) days of initial notice or insufficient progress is otherwise determined by the Zoning Administrator during the course of compliance plan implementation, the first notice of record shall count as the first day of notice for the thirty (30) days allotted for compliance, pursuant to §76-2-210.

If voluntary compliance is not achieved through the initial informal contact, the Zoning Administrator shall serve a written notice to the involved parties providing all relevant details of the zoning violation, a record of communications, and the requirements of this section. If compliance is not reached within thirty (30) days, pursuant to §76-2-210, then further enforcement action may be taken as provided by these Regulations and governing laws.

13.4.1 Enforcement Actions

The Zoning Administrator may perform any of the following actions or combination of actions to remedy a verified zoning violation: (i) revoke any Location/Conformance Permit or Special Use Permit; (ii) issue orders to obtain after-the-fact permits; (iii) issue cease and desist orders requiring cessation of any building, moving, alteration or use which is a zoning violation; (iv) require mitigation and/or corrective action, which may include orders to dismantle or remove noncompliant structures or buildings; (v) determine when compliance has been achieved and approve permits for structures or buildings brought into compliance with these Regulations; (vi) and/or forward the zoning violation to the Cascade County Attorney's Office.

13.4.2 Liable Parties

Persons liable for zoning violations and compliance with any order, determination, decision, fine, penalty, proceeding, and remedial action shall include without limitation, any and all owners, tenants, leaseholders, or other persons or entities that commits, maintains, participates, assists, causes, or contributes to such violation.

13.4.3 Right to Action Reserved

Cascade County and/or the Cascade County Planning Division shall have the right to proceed or take action jointly or severally against any or all persons, and the right to proceed or take action against any person or persons shall not constitute a waiver of any rights or remedies whatsoever against any person or persons.

13.5 ADMINISTRATIVE FINE

In addition to the above, and upon recommendation from the Zoning Administrator, the Cascade County Board of Commissioners (hereinafter, "County Commission") may, after a public meeting, duly notice and assess violators fines of up to five hundred dollars (\$500.00) per violation for noncompliance. Each day of violation may be considered a separate offense. When determining the amount and duration of the fine, the County Commission shall consider the nature, circumstances, extent and gravity of the violation, any prior history of such violations, the degree of culpability, and such other matters as justice may require. In addition, the violator may be required to pay administrative costs associated with the investigation. If assessed fines are not paid, then they shall become a lien upon the property.

Section 14. Procedures for Amendment

- ▶ SECTION 14.1.1 (7) Application Requirements
 - ▶ Fee amount has been removed and replaced with a fee schedule.

Section 15. AIRPORT AREAS GREAT FALLS INTERNATIONAL AIRPORT

- ▶ Only minor grammatical changes were made.

Section 18. UNCLASSIFIED USE PERMITS

- ▶ Fee amount has been removed and replaced with a fee schedule.

See Appendix 9 for Annotated Changes and Growth Policy Compliance for all sections of the Cascade County Zoning Regulations.

Public Comment Points

- ▶ Appendix 10: Review of all public comments pertaining to the 2019 Cascade County Zoning Regulation proposed re-write.

Contact Information

- ▶ Public comment can be submitted to planningcomments@cascadecountymt.gov
- ▶ Written comment can be submitted or mailed to
121 4th St No, Ste 2 H/I
Great Falls, Mt 59401